

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

In re:)
)
ROTHOVE, JASON MILES) Case #: 08-42431-JWV-7
ROTHOVE, CARRIE LYNN)
)
)
Debtor(s))

**TRUSTEE'S MOTION OF TRANSMITTAL OF
PAYMENT OF UNCLAIMED FUNDS INTO COURT REGISTRY**

COMES NOW, Janice E. Stanton, the Chapter 7 Trustee, in the above-referenced case, and for her Motion of Transmittal of Payment of Unclaimed Funds into the Court Registry, pursuant to 11 U.S.C. § 347(a) of the Bankruptcy Code, and Rule 3011 of the Rules of Bankruptcy Procedure, respectfully represents as follows:

1. On or about February 16, 2011, the Chapter 7 Trustee made her final distribution in the above-referenced bankruptcy estate pursuant to the Court's Order of February 16, 2011. That all payments issued by the Trustee pursuant to the Court's Order of February 16, 2011, have been negotiated, with the exception of the dividend payment to Owen Oerly in the amount of \$2,446.30 (Check #112) on its Proof of Claim #18. Such payment was mailed to February 16, 2011, the same address as reflected on claimant's Proof of Claim #18.

2. Such final dividend payment was returned in a letter received 4/22/11 and dated 4/6/2011 from Owen Oerly. Mr. Oerly's letter stated he did "not accept this settlement".

3. On April 29, 2011, the Trustee wrote a letter to Mr. Oerly and returned the check to him. This check has not been negotiated.

4. On August 5, 2011, as Check #111 was more than 90 days old, a stop payment was requested. A copy of Check #112 is attached hereto and incorporated herein as **Exhibit “A”**.

5. Accordingly, simultaneously with the filing of this Motion, the Trustee is transmitting her estate check in the amount of \$2,446.30 to the Clerk of the Bankruptcy Court for deposit in the Court registry pursuant to 11 U.S.C. § 347(a) of the Bankruptcy Code and Rule 3011.

Respectfully submitted,

/s/ Janice E. Stanton
JANICE E. STANTON, MO. BAR NO. 34055
Chapter 7 Trustee
104 West 9th Street - Suite 303
Kansas City, Missouri 64105
Telephone: 816/421-7770
Facsimile: 816/421-7773

CERTIFICATE OF MAILING

I, Janice E. Stanton, hereby certify that on this **5th** day of **August, 2011**, a true and correct copy of the above and foregoing was served electronically by the Clerk of the Court on all parties receiving electronic notice in this case, and that a duplicate copy was deposited in the United States mail, postage prepaid, to the following:

/s/ Janice E. Stanton
Janice E. Stanton, Trustee